

11/24/2004 10:31 FAX 5168290831

HOWARD R. BIRNBACH

002

HOWARD R. BIRNBACH

ATTORNEY AT LAW

111 GREAT NECK ROAD, SUITE 413

GREAT NECK, NEW YORK 11021

516/829-6305

FAX 516/829-0831

November 24, 2004

By Facsimile (212) 627-2021
Attention: Laurie Silberfeld
HUDSON RIVER PARK TRUST
Pier 40, 2nd Floor
West Street
West Houston Street
New York NY 10014

Re: NEW YORK HELICOPTER CHARTER, INC.

Vs.: AIR PEGASUS HELIPORT, INC., et al.

Dear Ms. Silberfeld:

I just received the two (2) enclosed letters.

One is from counsel to Air Pegasus Heliport, Inc. and the other is from Ms. Trank.

Positions are now being asserted that are attributable to the Trust.

Please inform us of your position on this matter.

New York Helicopter Charter, Inc. is a sightseeing operator, and its brochures so state.

The public uses the service individually, and is not obligated to rent space as a group.

Finally, we do not understand why our competition, Liberty Helicopters, Inc. has free use of signs, but we are afforded none.

As a public entity, commercial free space cannot be arbitrarily limited to certain parties.

We look forward to working with you on these issues.

Very truly yours,

LAW OFFICES OF
HOWARD R. BIRNBACH

By: 
JOSEPH MOLLOY

JM:jb
p.c. Lentz & Gengaro
Daniel D. Rubino, Esq.
Michael Roth